

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

BRAINBUILDERS, LLC, *et al.*,

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,  
AETNA HEALTH INC., and AETNA INC.,

Defendants.

Civil Action No. 17-03626 (GC) (DEA)

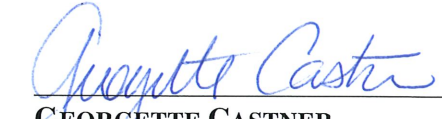
**ORDER**

**THIS MATTER** comes before the Court upon the Motion to Dismiss the Second Amended Complaint pursuant to Federal Rule of Civil Procedure (“Rule”) 12(b)(6) filed by Defendants Aetna Life Insurance Company, Aetna Health Inc., and Aetna Inc. (ECF No. 80.) Following briefing by the parties, the Court carefully considered the submissions and decided the matter without oral argument pursuant to Federal Rule of Civil Procedure 78(b) and Local Civil Rule 78.1(b). For the reasons set forth in the accompanying Opinion, and other good cause shown,

**IT IS** on this 31st day of January, 2024, **ORDERED** as follows:

1. Defendants’ Motion to Dismiss (ECF No. 80) is **GRANTED**.
2. Plaintiffs’ claims in the Second Amended Complaint (ECF No. 72) are **DISMISSED** without prejudice.
3. Plaintiffs shall have forty-five (45) days from the date of this Order to file a further amended complaint.

4. The Clerk shall **TERMINATE** the motion at ECF No. 80 and administratively **CLOSE** this case without prejudice to it being reopened if Plaintiffs timely file a further amended complaint.

  
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**GEORGETTE CASTNER**  
**UNITED STATES DISTRICT JUDGE**